

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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FILE COPY

AUG 23 2015

KIRK CALDWELL
MAYOR



GEORGE I. ATTA, FAICP
DIRECTOR

ARTHUR D. CHALLACOMBE
DEPUTY DIRECTOR

2015/ELOG-1411(ST)
2015/ED-9

August 10, 2015

Ms. Jessica Wooley, Director
Office of Environmental Quality Control
State Office Tower, Room 702
235 South Beretania Street
Honolulu, Hawaii 96813-2437

Dear Director:

SUBJECT: Chapter 25, Revised Ordinances of Honolulu
Draft Environmental Assessment
Special Management Area (SMA) Application

Project: Kihapai Place Apartment Project
Applicant: Kihapai Hui LLC
Agent: Lee Sicter LLC
Location: 734 and 735 Kihapai Place - Kailua (Coconut Grove Tract)
Tax Map Key: 4-3-58: 47, 48, and 65
Request: Special Management Area Use Permit,
Chapter 25, Revised Ordinances of Honolulu
Proposal: Construction of a four-story, 42-unit Apartment Building in the A-2
Medium Density Apartment District.

We respectfully request publication of the Draft Environmental Assessment (DEA) in the next edition of The Environmental Notice. We anticipate a finding of no significant impact (AFNSI) for the proposed multi-family dwelling in the A-2 Medium Density Apartment District in Coconut Grove.

Enclosed is the completed OEQC Publication Form, two hard copies of the DEA and a pdf file on a compact disk. Simultaneously with this letter, these documents were also sent via electronic mail to your office.

If you have any questions, please contact Steve Tagawa of our staff at 768-8024.

Very truly yours,


George I. Atta, FAICP
Director

Enclosures

OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

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RECEIVED

**APPLICANT ACTION
SECTION 343-5(e), HRS
PUBLICATION FORM**

Project Name: Kihapai Place Apartments
HRS §343-5 Trigger(s): None (Chapter 25, Revised Ordinance of Honolulu)
Island: Oahu
District: Kailua (Coconut Grove Tract)
TMK: 4-3-58: 47, 48 and 65
Permits: Special Management Area (SMA) Use Permit
Approving Agency: Department of Planning and Permitting
 City and County of Honolulu
 650 South King Street, 7th Floor
 Honolulu, Hawaii 96813
 Contact: Steve Tagawa (808) 768-8024

Applicant: Kihapai Hui LLC
 1050 Bishop Street, Suite 303
 Honolulu, Hawaii 96813
 Contact: Gail Berengue (808) 861-5925

Consultant: Lee Sichter LLC
 45-024 Malulani Street, No. 1
 Kaneohe, Hawaii 96744
 Contact: Lee Sichter LLC (808) 382-3836

Status (check one only):

- _X_DEA-AFNSI** Submit the approving agency notice of determination/transmittal on agency letterhead, a hard copy of DEA, a completed OEQC publication form, along with an electronic word processing summary and a PDF copy (you may send both summary and PDF to oeqchawaii@doh.hawaii.gov; a 30-day comment period ensues upon publication in the periodic bulletin.
- __FEA-FONSI** Submit the approving agency notice of determination/transmittal on agency letterhead, a hard copy of the FEA, an OEQC publication form, along with an electronic word processing summary and a PDF copy (send both summary and PDF to oeqchawaii@doh.hawaii.gov; no comment period ensues upon publication in the periodic bulletin.
- __FEA-EISPN** Submit the approving agency notice of determination/transmittal on agency letterhead, a hard copy of the FEA, an OEQC publication form, along with an electronic word processing summary and PDF copy (you may send both summary and PDF to oeqchawaii@doh.hawaii.gov; a 30-day consultation period ensues upon publication in the periodic bulletin.
- __Act 172-12 EISPN** Submit the approving agency notice of determination on agency letterhead, an OEQC publication form, and an electronic word processing summary (you may send the summary to oeqchawaii@doh.hawaii.gov. NO environmental assessment is required and a 30-day consultation period upon publication in the periodic bulletin.
- __DEIS** The applicant simultaneously transmits to both the OEQC and the approving agency, a hard copy of the DEIS, a completed OEQC publication form, a distribution list, along with an electronic word processing summary and PDF copy of the DEIS (you may send both the summary and PDF to oeqc@doh.hawaii.gov); a 45-day comment period ensues upon publication in the periodic bulletin.
- __FEIS** The applicant simultaneously transmits to both the OEQC and the approving agency, a hard copy of the FEIS, a completed OEQC publication form, a distribution list, along with an electronic word processing summary and PDF copy of the FEIS (you may send both the summary and PDF to oeqc@doh.hawaii.gov); no comment period ensues upon publication in the periodic bulletin.
- __Section 11-200-23 Determination** The approving agency simultaneously transmits its determination of acceptance or nonacceptance (pursuant to Section 11-200-23, HAR) of the FEIS to both OEQC and the applicant. No comment period ensues upon publication in the periodic bulletin.
- __Statutory hammer Acceptance** The approving agency simultaneously transmits its notice to both the applicant and the OEQC that it failed to timely make a determination on the acceptance or nonacceptance of the applicant's FEIS under Section 343-5(c), HRS, and that the applicant's FEIS is deemed accepted as a matter of law.

___Section 11-200-27
Determination

The approving agency simultaneously transmits its notice to both the applicant and the OEQC that it has reviewed (pursuant to Section 11-200-27, HAR) the previously accepted FEIS and determines that a supplemental EIS is not required. No EA is required and no comment period ensues upon publication in the periodic bulletin.

___Withdrawal (explain)

Summary: The Applicant proposes to construct a four-story building, with 42 one-bedroom apartment units, on a recently consolidated 24,593-square-foot parcel located at 734 and 735 Kihapai Place, which is in the Special Management Area (SMA). The currently vacant lot is in the Coconut Grove Tract of Kailua and is zoned A-2 Medium Density Apartment District. The site borders the makai side of the Kawai Nui Marsh and the flood protection levee. The development will provide 58 at-grade parking stalls, including five visitor and two ADA accessible parking stalls. The development will include landscaping and a required park area. The Project has an estimated cost of \$8 million and is anticipated to take one year to complete once construction begins. As a site located within the SMA, the Project will require the approval of a SMA Use Permit from the Honolulu City Council.

Kihapai Place
Chapter 25 Environmental Assessment for an SMA Use Permit

I. GENERAL INFORMATION

A. Applicant

The Applicant is Kihapai Place LLC.

B. Recorded Fee Owner

The Recorded Fee Owner is Kihapai Place LLC, c/o Gail Berengue, 842 Halula Place, Kailua, Hawai'i 96734.

C. Agent

The Agent is Lee Sichter LCC, c/o Lee Sichter, 45024 Malulani Street #1, Kaneohe, Hawai'i 96744.

D. Tax Map Key

The Proposed Action is the development of a vacant lot, identified as Lot A, Portion Land Court Application 495 and Portion File Plan 784 at Kailua, Koolauapoko, Oahu. See Figure 1.

	Lot A
Area	24,593 sq.ft.
State Land Use District	Urban
Zoning	A-2 Apartment
SMA	Yes
Owner	Kihapai Place LLC

The single development lot is hereinafter referred to as “the Subject Property”. The Subject Property formerly comprised three tax map parcels (4-3-058:047,048, and 065) that were consolidated on May 22, 2015 (2015/Sub-72) into Lot A (See Figures 2 and 3). At the time of this writing, a new tax map key parcel number has not yet been assigned to the Subject Property.

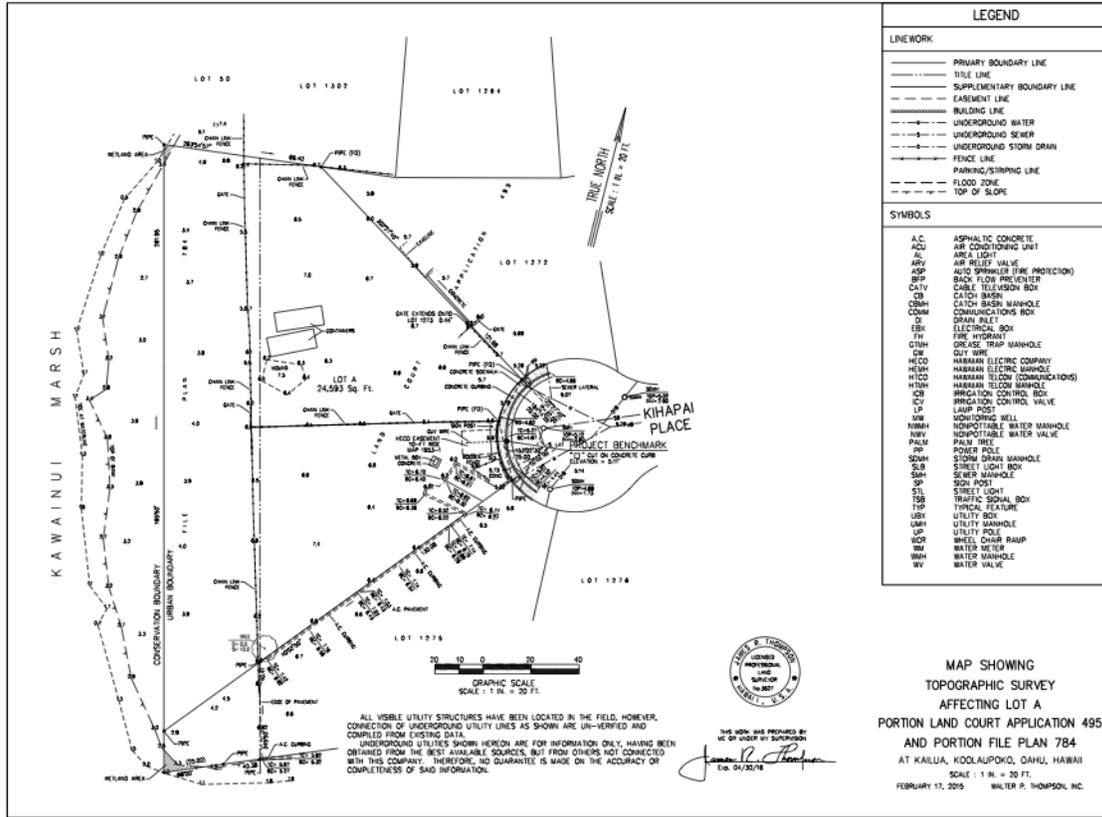


Figure 1: Metes & Bounds

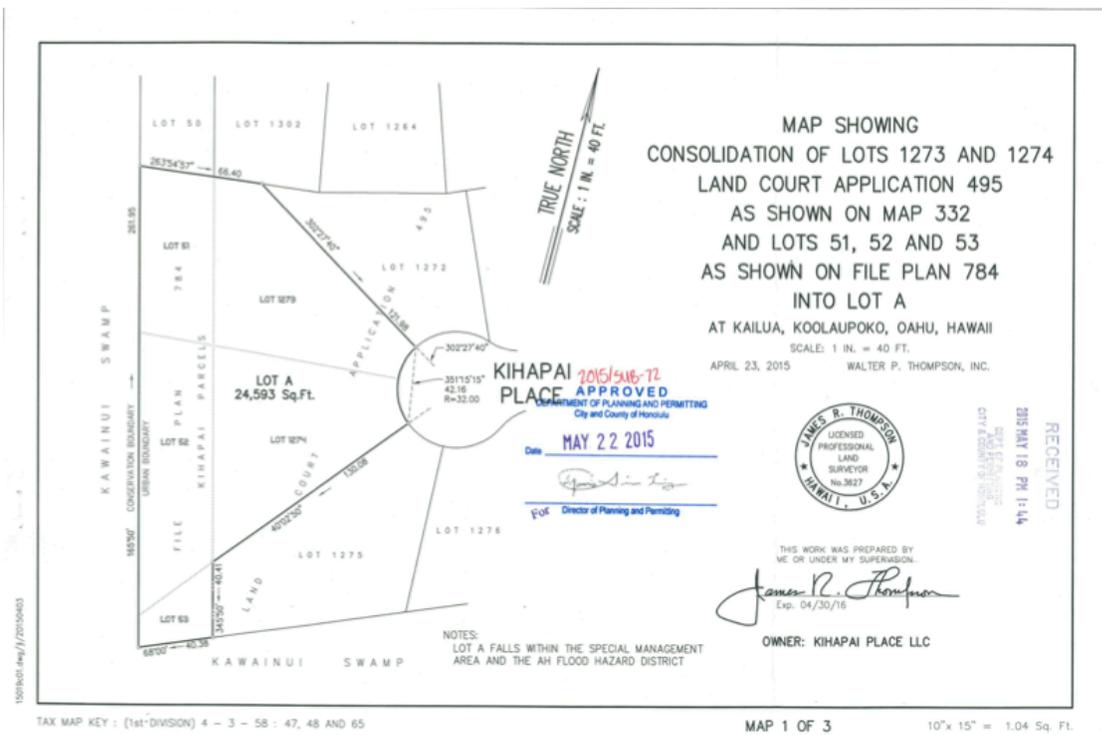


Figure 2: Consolidation Approval

E. Lot Area

The Subject Property contains a total of 24,593 square feet.

F. Identification of Consulted Parties

Members of the project team have discussed the Proposed Action with the following agencies and individuals:

- Jamie Pierson, Department of Planning and Permitting
- Dino Buchanan, U.S. Army Corps of Engineers, Honolulu District Office
- Jason Misaki, Wildlife Biologist, Department of Land and Natural Resources
- Kenneth Krebs, neighbor
- Patricia Gerum, neighbors
- Danette Tamayoshi, neighbor
- Daniel Baram, neighbor
- Michael Murphy, neighbor
- Ryan Lager, neighbor
- Hawaiiolo and Amber Durante, neighbors
- Jose, Grace, and Gracy Dizon, neighbors
- Douglas and Joni Kroll, neighbors
- Sheri-Lynn Lacount, neighbor

II. DESCRIPTION OF THE PROPOSED ACTION

A. General Description

1. Narrative of Location and Land Use Approvals

The Subject Property is located at the western end of the Kihapai Place cul-de-sac. It is an irregular shaped trapezoid extending from the approximate 42-foot wide apex that abuts the Kihapai Place cul-de-sac approximately 180 feet to the rear yard (western) boundary abutting fast land, a canal bank, and an open water canal that are a portion of Kawainui Marsh (see Figure 3).

The Subject Property is abutted on the north by tax map key parcel 4-3-058:058 (see Figure 4), which is zoned A-2 Apartment and is occupied by three residential dwellings. It is abutted on the northeast by parcel 4-3-058:049, which is zoned A-2 Apartment and is occupied by two residential dwellings, and on the southeast by a portion of the Kihapai Place cul-de-sac and by parcel 46, which is zoned A-2 Apartment and is occupied by a two-story apartment building (see Figure 3). It is abutted on the south and west by a narrow strip of land abutting submerged land that constitutes an open water canal (also known as Kawainui Stream) that is a portion of Kaiwainui Marsh. Together, the narrow strip of land and the canal are identified as a portion of tax map key parcel 4-2-016:013 (see Figure 5).



Figure 3: Aerial View of Subject Property (not to scale)

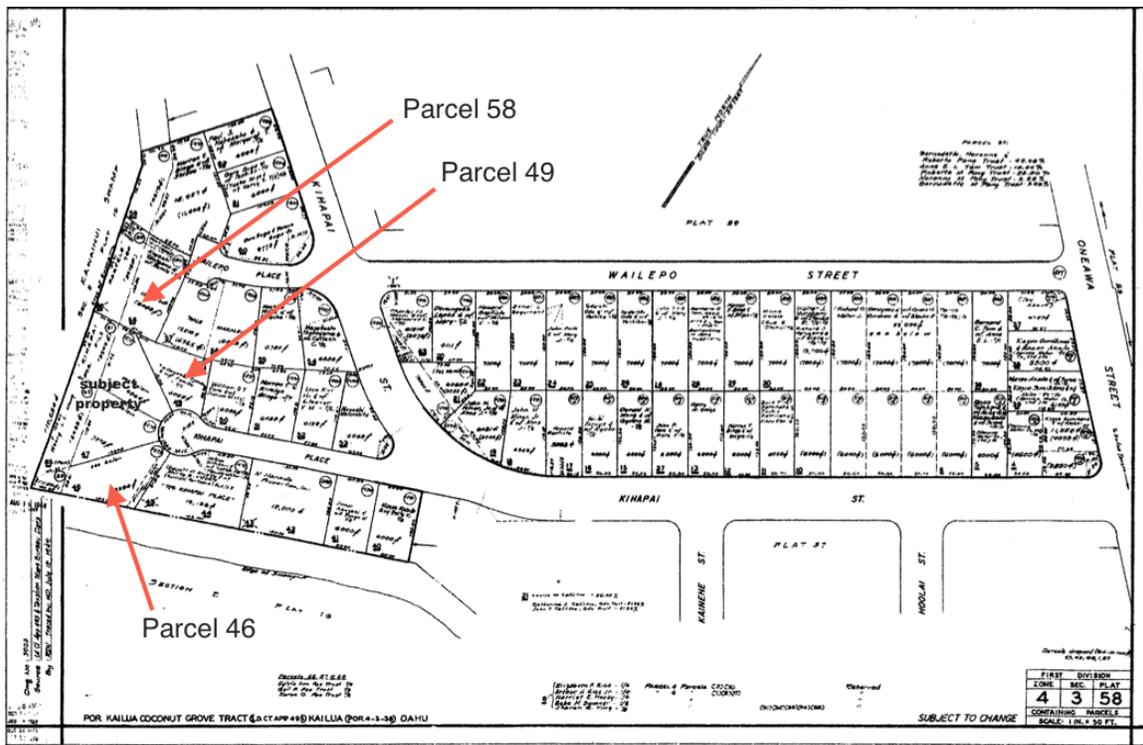


Figure 4: TMK Zone 4, Section 3, Plat 058

Source: US Fish & Wildlife Service National Wetlands Inventory

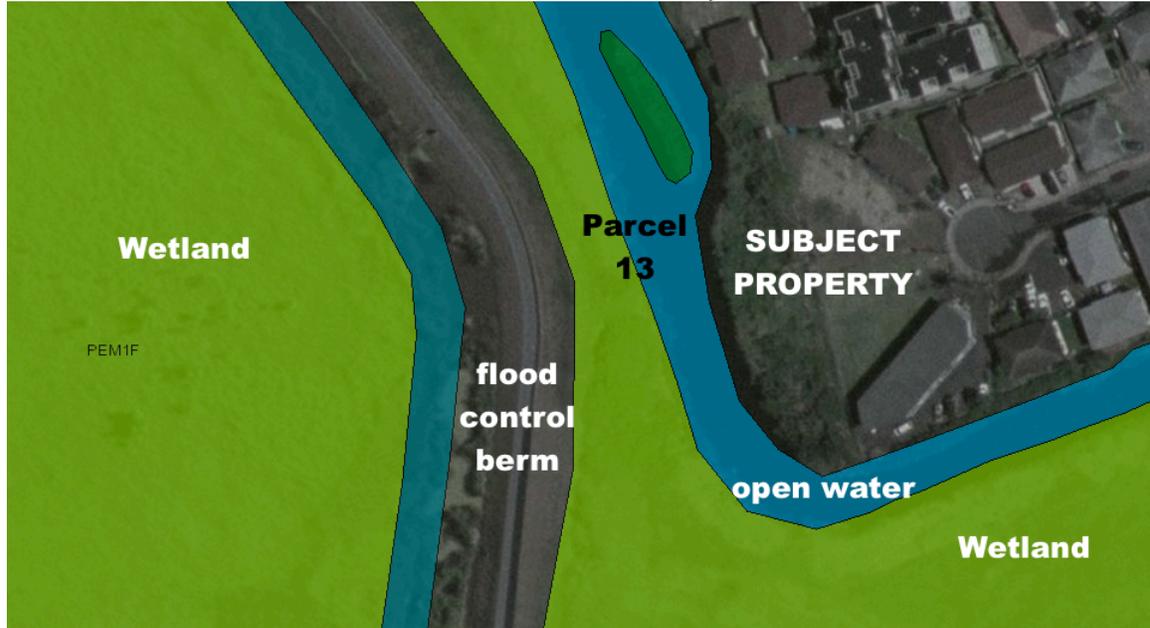


Figure 5: Open Space West of Subject Property

2. Relationship of the Parcel to the SMA

The Subject Property is located in the Special Management Area. See Figure 6.

3. Location Map

See Figure 6.

4. Land Use Approvals Granted or Required

The Subject Property is classified as Urban District by the State Land Use Commission and is zoned A-2 (Medium Density Apartment) by the City and County of Honolulu (see Figure 7). The Proposed Action will require a Special Management Area Use Permit and various administrative approvals including trenching and building permits.

Source: City & County of Honolulu, HOLIS

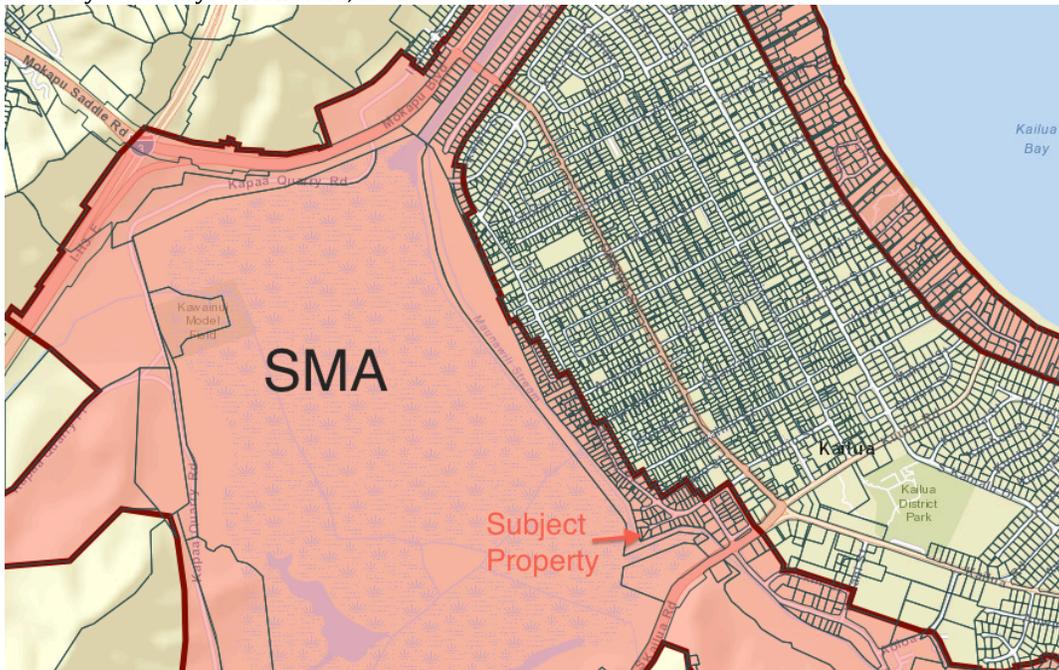


Figure 6: Special Management Area

Source: City & County of Honolulu, HOLIS

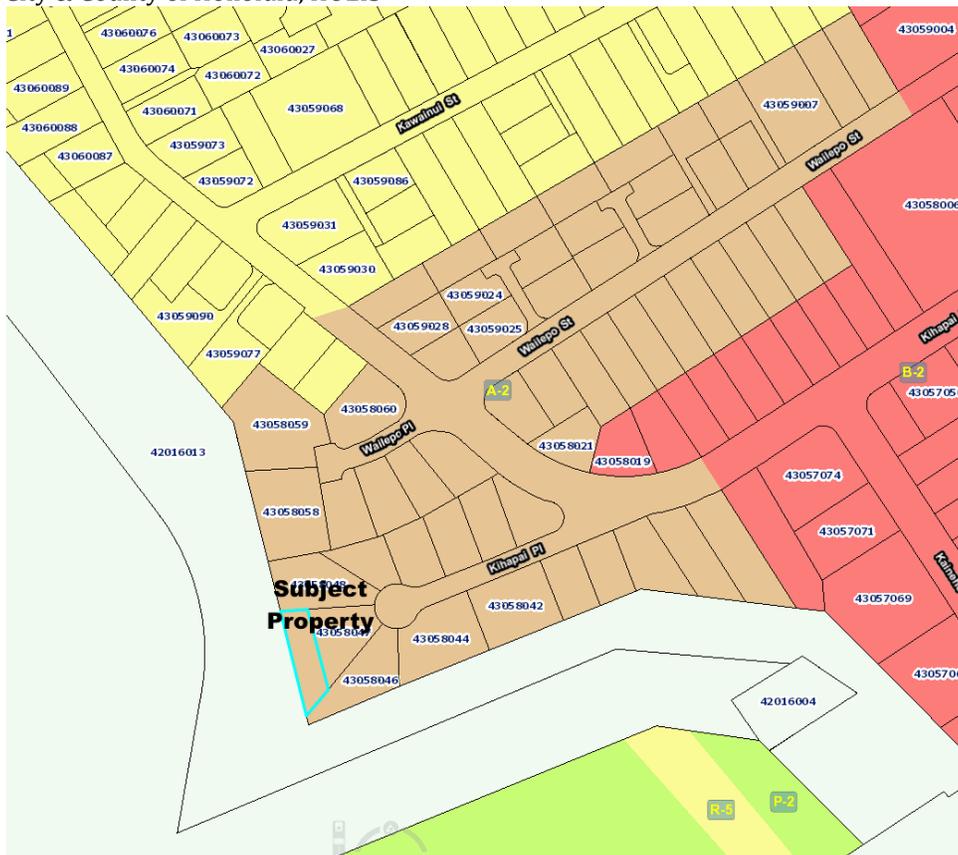


Figure 7: Zoning Classification of Subject Property

B. Technical Characteristics

1. Use

The Proposed Action is the development of the Subject Property with a four-story apartment building, containing 42 one-bedroom apartment units, and appurtenant uses such as an at-grade paved parking lot, landscaping, and a rear yard grade retention wall topped by a fence (see Figures 8 and 9).

The proposed apartment units will be available for rent at prevailing market rates. The building will have 14 units per floor and the total floor area of the proposed project will be approximately 24,000 square feet (see Figure 10).

The proposed apartment building will be 43 feet, six inches in height, which includes a 3-foot 6-inch parapet provided as a safety feature, as permitted by the A-2 zoning district. The first habitable floor will be elevated approximately 14 feet above ground level (see Figure 11). Apartments will be located on the second, third, and fourth floors.

The roof of the building will include the elevator mechanics; a small uncovered seating area available to building residents and guests for entertainment purposes, and solar water heating and photovoltaic panels (see Figure 12).



Figure 8: Kihapai Place Apartments (Northeast Perspective)

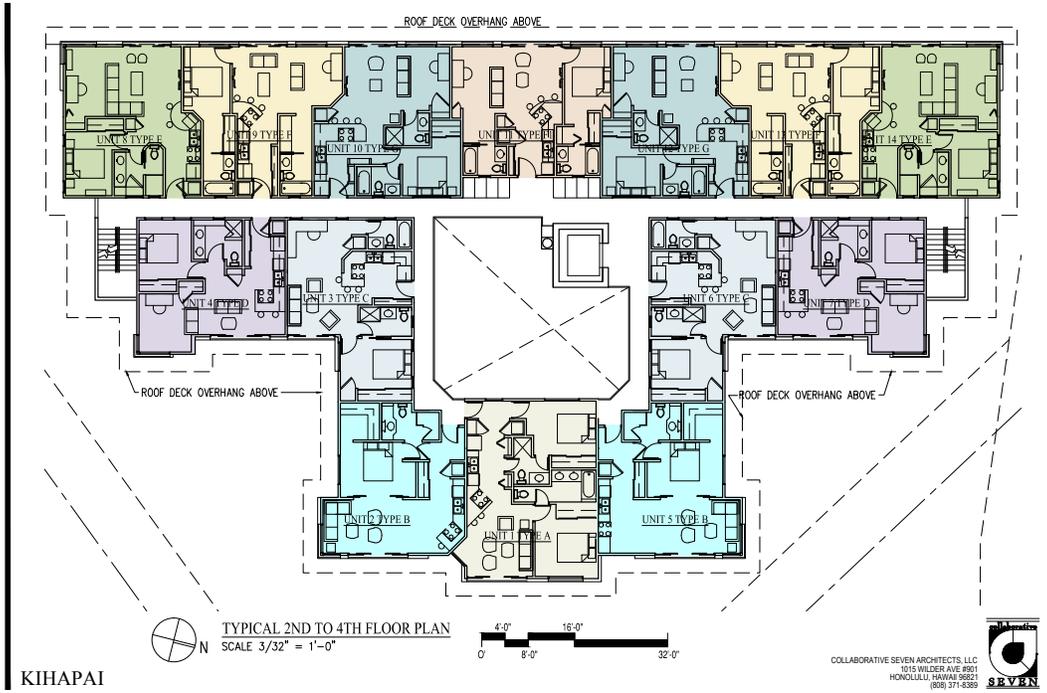


SOUTHWEST PERSPECTIVE

KIHAPAI



Figure 9: Southwest Roof Perspective (showing portion of rear yard)



KIHAPAI

Figure 10: Typical Floor Plan



KIHAPAI

Figure 11: Building Elevation



Figure 12: Roof Plan

The Proposed Action includes 58 on-site parking stalls, including 5 guest-parking stalls, and 2 handicap stalls. The parking lot will be constructed at ground level consisting of paved and grass-crete parking stalls. The ground floor area will be used for parking, access, refuse disposal and loading with landscaping along portions of the property edge (see Figures 13 and 14).

The building and its appurtenant facilities will be built in accordance with the Land Use Ordinance and Uniform Building Code.

A grade adjustment wall will be constructed along the rear (western) property boundary and a portion of the north and south property boundaries (see Figure 15). This wall will redirect runoff away from the marsh. It will be constructed of concrete masonry units (CMU) and topped with a fence to screen headlight glare from the parking lot into the abutting marshland.

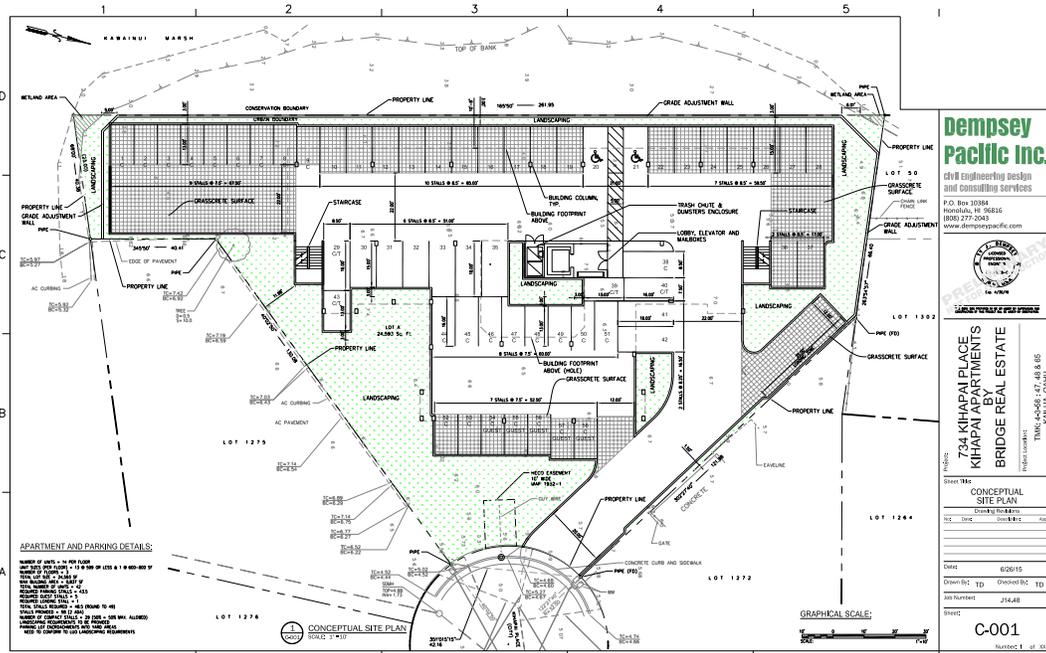


Figure 13: Parking Plan

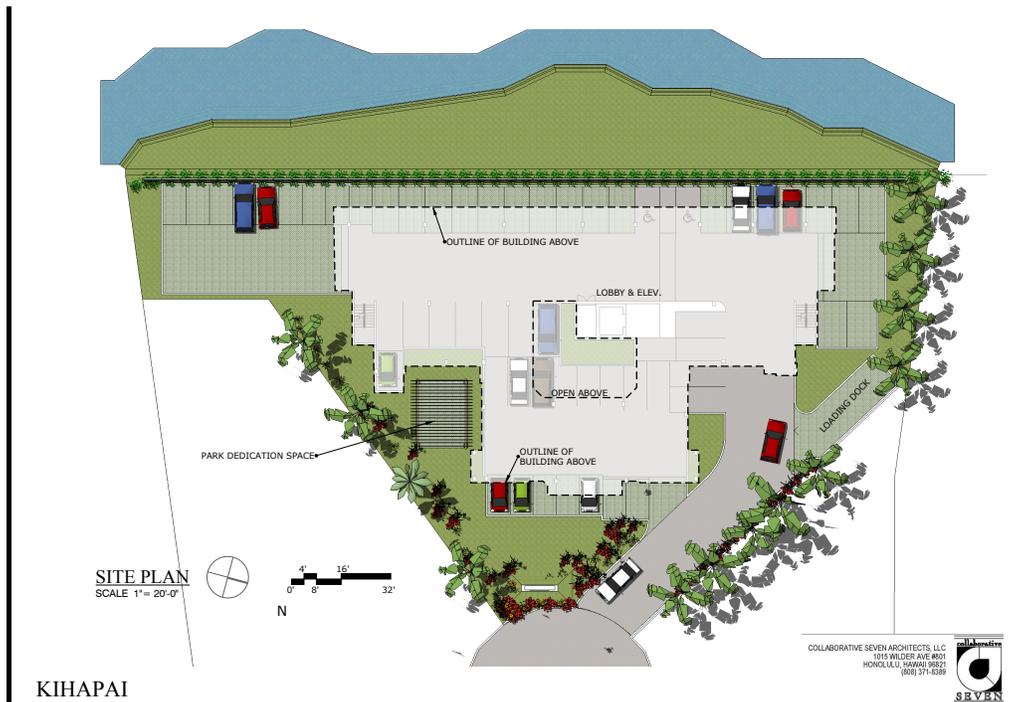


Figure 14: Landscape Plan



Figure 15: Rear Yard Detail

2. Physical Characteristics

The Subject Property is presently vacant, except for two shipping containers temporarily stored on the property, a two temporary parking stalls and a mailbox utilized by the apartment building on Parcel 46 which will be removed prior to construction. A portion of the Subject Property (former Parcel 47) was previously occupied by a two-story, nine-unit apartment building that was constructed in 1959 and demolished in 2005. A chain link fence bisects the property and surrounds a portion of it as shown in Photo 1. Please note that the fence is not aligned to the rear yard property boundary (see Figure 3 above). Please note that the two-story apartment building discussed in Section II.A.1 above is visible on the left side of Photo 1.



Photo 1: Subject Property (looking west)

3. Construction

The general construction sequence of the Proposed Action will be as follows:

Construction activities on the Subject Property will begin with the installation of erosion control measures: silt fencing, dust screens, and stabilization of the construction entrance from Kihapai Place.

After the existing fences and an existing container are removed from the property, the lot will be cleared of vegetation.

A grade adjustment wall (retaining wall) will then be constructed around the rear portions of the property to prevent any runoff into the marsh and wetland areas. Once the wall has been completed, mass grading of the site will commence which will result in reshaping the surface of the property to redirect runoff sheet flow toward Kihapai Place and away from the marsh and wetland areas. Underground utilities will also be installed at this time. As the mass grading will constitute less than one acre in area, no National Pollution Discharge Elimination System (NPDES) permit is required.

Graded areas will then be stabilized with landscaping materials to minimize fugitive dust and soil erosion during subsequent construction activities. Landscape materials will include exotic grasses and eventually shrubs.

Construction of the apartment building and parking lot will commence once all the preceding activities have been completed. Portions of the parking lot will be constructed of grass-crete to increase percolation and help reduce the volume of storm water runoff.

4. Utility Requirements (water, electricity, gas)

The Subject Property is presently serviced by an existing 1-inch water meter (Meter Number 01402932). The Board of Water Supply meter box is located in the sidewalk area fronting the Kihapai Place cul-de-sac abutting the eastern edge of the parcels.

The Subject Property is presently served by an existing 12KV overhead electrical transmission line.

Kihapai Place is presently served by a one-inch gas main owned by Hawaii Gas Company line with a ¾-inch lateral serving the property.

5. Wastewater

The Subject Property is presently serviced by a 9-inch vitrified clay sewer main that constitutes a portion of the City and County of Honolulu sanitary

sewer system. By a letter dated 4-9-2014 (Application No. 2014/SCA-0268), the DPP has indicated that municipal sewers are available and did not raise any objections to the Applicant connecting the proposed apartment building to the municipal system.

6. Solid Waste

Solid waste generated by the Proposed Action will be collected by the City Department of Public Works, Refuse Division. The service was previously provided to the properties before the previous residential structure was demolished. A storage area for roll-on roll-off (ro-ro) trash containers will be located adjacent to the elevators on the ground floor of the proposed Apartment Building. The schedule for trash pick up has not yet been determined.

7. Access

Pedestrian access to the Subject Property is provided by an existing sidewalk that abuts both sides of Kihapai Place and extends around the cul-de-sac (see Photo 2).

Vehicular access to the Subject Property is provided by Kihapai Place, which intersects with Oneawa Street. Bicycles utilize Oneawa Street and Kihapai Place to access the Subject Property.



Photo 2: View of Kihapai Place Cul-De-Sac (looking east)

8. Other Pertinent Information

None.

C. Economic and Social Characteristics

1. Cost and Phasing

The cost of constructing the Proposed Action is estimated to be approximately \$8 million. The Proposed Action will be privately funded. No government funds will be sought or utilized.

Groundbreaking is presently targeted for June 2016. Construction is presently targeted for completion by June 2017.

2. Social Characteristics

The Subject Property is located in the town of Kailua in the Koolaupoko District of O`ahu, a few blocks east of the town's central business district. The Subject Property is located at the southern end of a residential district known as Coconut Grove. Coconut Grove is generally located on the western edge of Kailua's principal residential district and abuts the eastern edge of Kawainui Marsh.

The 57 properties abutting Kihapai Place (including the Subject Property), Wailepo Place and the western end of Wailepo Street are all zoned A-2 Apartment. Nine of these properties are developed with apartment buildings and the remainder with single-family homes and duplexes.

According to the Kailua Chamber of Commerce, the current population of Kailua is just over 51,000. Approximately 52 percent of Kailua's population has occupied the same home for five or more years.

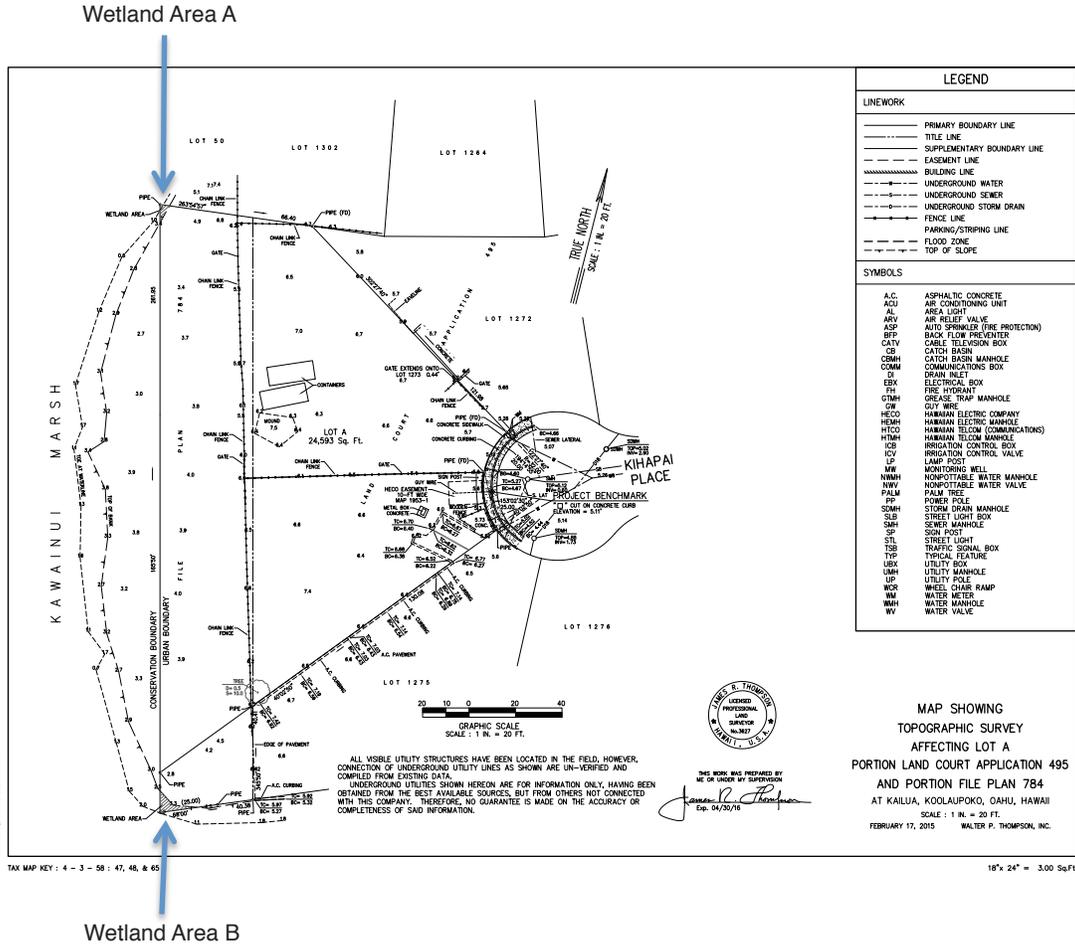
D. Environmental Characteristics

1. Soils

The majority of the Subject Property's soil (99.9975%) consists of Jaucus sand (JaC), characterized by a slope of 0 to 15 percent, with a depth to the water table of more than 80 inches. This class of soil is considered to be excessively drained.

A topographic survey of the Subject Property conducted in February 2015 reveals that two small areas representing the northwestern and southwestern corners of the Subject Property appear to be wetland. The northwestern corner wetland area (hereinafter, Wetland Area A) contains

approximately 16 square feet. The southwestern corner wetland area (hereinafter, Wetland Area B) contains approximately 45 square feet (see Figure 16.)



The two wetland areas abut a canal that constitutes the east edge of Kawainui Marsh. Please refer to Figure 3 above for an aerial view of the Subject Property and its relationship to the canal/channel.

The canal abuts the east side of a flood control levee that was constructed by the U.S. Army Corps of Engineers in the 1990s. The U.S. Fish & Wildlife Service classifies the canal with code "R2UBHx"¹, which is defined by the USFWS as:

¹ <http://www.fws.gov/wetlands/Documents/Wetlands-and-Deepwater-Habitats-Classification-chart.pdf>

- (R) Riverine
- (2) Lower Perennial
- (UB) Unconsolidated Bottom
- (H) Permanently Flooded
- (x) Excavated.

The two water areas, which together constitute 0.0025% of the Subject Property, are designated as W by the U.S. Department of Agriculture-National Resource Conservation Service.

2. Topography/Relationship to Geographic Features

With the exception of a small 1.3-foot high mound in the north central portion of the property, the majority of the Subject Property is relatively flat with an elevation ranging from 5.5 feet above sea mean sea level 7.4 feet above mean sea level. The rear (western) portion of the Subject Property includes land sloping toward the canal/channel, its elevation ranges from 6.6 feet to about 3.4 feet at points on its western boundary.

3. Surface Runoff, Drainage, and Erosion Hazard

Much of the Subject Property appears to drain naturally toward the Kihapai Place cul-de-sac, with the rear portion draining toward the marsh. Kihapai Place has a catch basin and underground storm drains that transport roadway runoff into the marsh area west of the Subject Property.

Due to the character of the existing soil, the hazard potential for erosion is considered to be slight.

4. Hazards

a. FIRM

The Subject Property is designated as Flood Zone AH (base flood elevation 6 feet) by the Federal Emergency Management Agency (see Figure 17.) Zone AH is the flood insurance rate zone that corresponds to the areas of 100-year shallow flooding (usually areas of ponding) where average depths are between 1 and 3 feet.

b. LUO Hazard District

Portions of the Subject Property as described previously are situated in the Flood Fringe District and are subject to the provisions of Section 21-9.10-6, Revised Ordinances of Honolulu.

c. Other Geographical Hazards

The Subject Property is not situated in any other known geographic hazard areas.

5. Other Information Pertinent to the SMA

None.

Source: State of Hawaii – Flood Hazard Assessment Report @ www.gis.hawaiiinfip.org/FHAT/

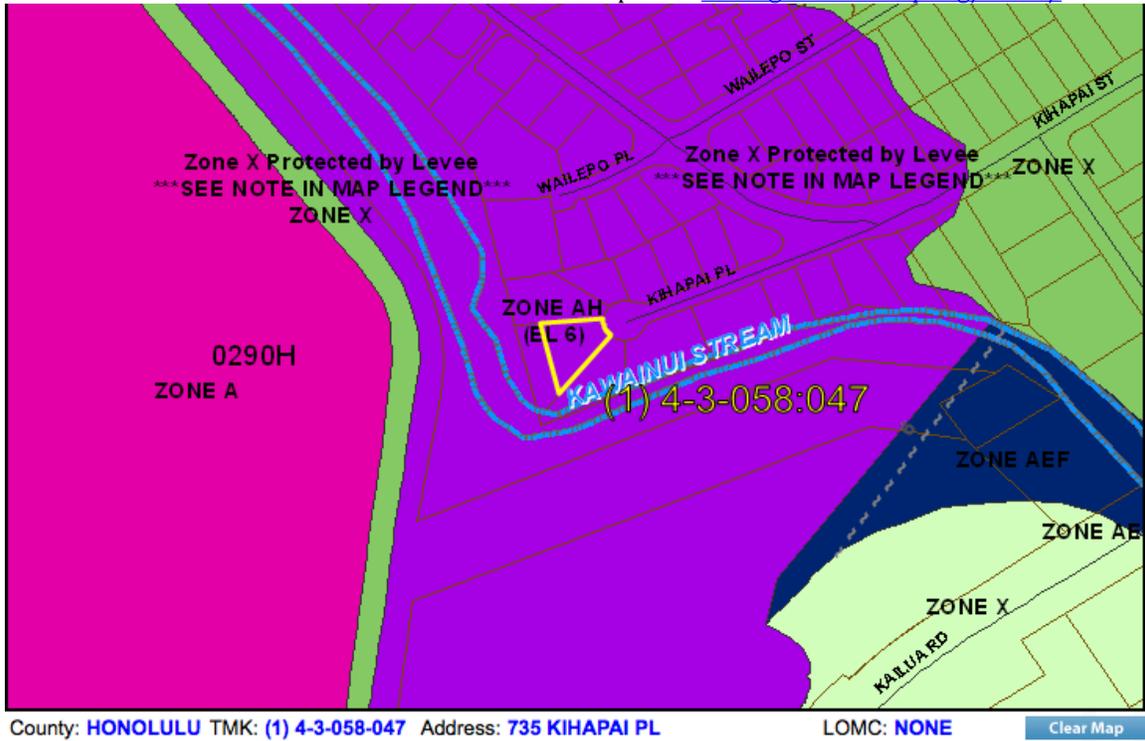


Figure 17: Flood Insurance Rate Map

III. DESCRIPTION OF AFFECTED ENVIRONMENT

A. Relationship to Surrounding Area

1. Surrounding Land Uses

As described above, the Subject Property is generally bounded on the north and east by an existing residential community known to realtors as Coconut Grove, generally located along the western side of Oneawa Street in Kailua, O`ahu. On the west and south, the Subject Property abuts Kawainui Marsh, designated as a Ramsar Wetland of International Importance in 2005 for its

historical, biological, and cultural importance². As noted above, the portion of the marsh abutting the Subject Property is identified as Tax Map Key 4-2-016:013, a 37-acre narrow sliver of land and submerged land corresponding to that portion of the marsh situated on the east side of the flood-control levee constructed by the U.S. Army Corps of Engineers to protect Kailua Town from flooding. The 37-acre strip includes a dredged canal or channel (also identified as Kawainui Stream) situated west of the property boundary of former TMK Parcel 65. The top of the bank abutting the canal/channel extends from the southwestern corner of the Subject Property in a gentle curve around the rear of the Subject Property to its northwestern corner, as depicted in Figure 3. At its furthest distance, the top of the canal/channel bank is approximately 22 feet west of the Subject Property's western property boundary. At its closest points on the northwest and southwest, the top of the canal/channel bank intersects the Subject Property.

2. Land Use Controls (GP, DP, Zoning, Unique Features)

The Subject Property is situated in the Urban Fringe area of Kailua Town in Windward O`ahu, as identified in the General Plan Development Pattern (O`ahu General Plan, page 9) and is classified as Urban District by the State Land Use Commission.

It is designated as a portion of the Medium Density Residential District abutting Kaiwainui Marsh in Map A-2, Section 3 of the Koolaupoko Sustainable Communities Plan. The Subject Property is not part of the Kailua Regional Town Center. The Proposed Action is consistent with Section 3.6.1(1) of the Plan, which calls for infill development of remaining vacant lands in areas that are already urbanized.

As noted above, the Subject Property is part of a 57-lot area zoned A-2 Apartment that includes all the lots surrounding Kihapai Place, Wailepo Place, and most of the lots abutting Wailepo Street (see Figure 7).

B. Relationship to Sensitive Areas

1. Publically Owned or Used Beaches, Parks, Recreation Areas

The Subject Property is approximately 5,100 linear feet south-southwest of Kailua Bay. It is approximately 3,200 feet west of Kailua District Park. As discussed above, the Subject Property abuts the eastern boundary of Kawainui Marsh.

² Wetland Restoration and Habitat Enhancement Plan, Kawainui Marsh, Kailua, O`ahu, Helber Hastert & Fee, March 2011, page 1-1.

2. Rare, Threatened, Endangered Species and Habitats

There are no known rare, threatened or endangered species or habitats on the Subject Property. However, the Subject Property abuts Kawainui Marsh, which is identified by the U.S. Fish & Wildlife Service as a “primary habitat” for the recovery of four endangered species of native Hawaiian water birds. The marsh also provides habitat for various migratory water birds, wintering shore birds, and a variety of resident and introduced bird species. The endangered water birds include the Hawaiian stilt (*Himantopus mexicanus knudseni*), Hawaiian coot (*Fulica alai*), Hawaiian moorhen (*Gallinule chloropus sandvicensis*), and Hawaiian duck (*Anas wyvilliana*).

3. Wildlife Preserves

There are no wildlife preserves or nature reserves on the Subject Property. The adjacent Kawainui Marsh is identified as a Nature Reserve on the USGS topographic map for the region. Wetland Areas A and B constitute portions of the privately owned Subject Property and are not portions of TMK Parcel 13 or Kawainui Marsh.

4. Wetlands, Lagoons, Tidal Lands, and Submerged Lands

Wetland Area A includes a small area of tidal land, as it generally includes land extending from the top of the bank to the toe of the bank abutting the adjacent canal/channel, and may include a few square feet of submerged land at high tide. Wetland Area B constitutes land extending from the top of the bank to the toe of the bank abutting the canal/channel but appears to include no submerged land. The adjacent Kawainui Marsh is a designated wetland and also contains submerged lands.

5. Fisheries and Fishing Grounds

There are no fisheries or fishing grounds on the Subject Property.

6. Other Coastal/Natural Resources

None.

C. Historic, Archaeological, Cultural Resources

There are no known historic, archaeological or cultural resources associated with the Subject Property. It has been previously developed with residential uses dating back to the late 1950s.

D. Coastal Views

As the Subject Property is located nearly a mile inland from the shoreline of Kailua Bay and separated from the bay by an entire residential community, there are no views of the bay or the coastline from the Subject Property (see Figure 6).

E. Quality of Receiving Waters and Groundwater Resources

Kawainui Marsh is identified as Class 1 Inland Receiving Waters of the State Department of Health. It is the objective of Class 1 waters to remain in their natural state as nearly as possible with an absolute minimum of pollution from any human-caused source. Please refer to Section V. Mitigations Measures for a discussion of how the impacts of site development and long-term operation will be mitigated to preserve and protect Kawainui Marsh.

F. Location/Site Maps

See Figures 5, 6 and 7.

IV. PROJECT IMPACTS

A. Relationship to CZM Objectives

Following is a discussion of the project's relationship to the objectives of Chapter 205A-26, Hawaii Revised Statutes:

Objective 1A: Provide coastal recreation opportunities accessible to the public.

Discussion: Not applicable. As discussed in Section B.1 above, the Proposed Action will occur well inland of the shoreline and will not impact pedestrian accessibility to coastal-oriented recreational opportunities.

The Flood Control Levee constructed by the U.S. Army Corps of Engineers along the western edge of TMK Parcel 13 (approximately 160 feet west of the Subject Property at its closest point) includes a pedestrian path along the western side of the levee wall, which Kailua and Kaneohe residents use for walking, jogging, bicycling and dog walking. Implementation of the Proposed Action will not impact activities on the levee's pedestrian path. Photo 3 presents a view of the levee wall, the pedestrian path, and the Subject Property in the distance. The Subject Property is not visible from the levee at its closest point because the view is blocked by vegetation. However, it is visible from the levee at a distance of several hundred feet.



Photo 3: View of Subject Property from Levee (distance about 400 feet)

Objective 2A: Protect, preserve, and where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Discussion: There are no known manmade historic, prehistoric, or cultural resources identified on the Subject Property.

Wetland Areas A and B will be protected during construction of the Proposed Action and will be preserved during and after construction. The provision of silt fencing and dust screens discussed in Section B.3 above will aid in protecting the two small wetland areas on the Subject Property, as well as the portion of Kawainui Marsh abutting the Subject Property, during construction. The construction of the grade adjustment wall (retaining wall) along the western boundary of the Subject Property will result in the redirection of surface flow and runoff away from the two Wetland Areas on-site and the abutting Kawainui Marsh.

Objective 3A: Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.

Discussion: The Proposed Action will have no significant impact upon Kawainui Marsh as an open space resource. The Proposed Action will be constructed entirely on privately owned property that is part of an existing residential neighborhood, in a manner that is consistent with underlying land use controls. Dense vegetation grows between the aforementioned levee and the Subject Property (see Photo 1).

Objective 4A: Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

Discussion: Not applicable. The Subject Property is located approximately 5,100 feet inland from the coastline of Kailua Bay.

Objective 5A: Provide public or private facilities and improvements important to the State's economy in suitable locations.

Discussion: The provision of affordable rental housing is important not only to the State's economy, but to the social well being of State residents. As the Subject Property is already zoned to accommodate a modest sized apartment building, the location is suitable for the Proposed Action.

Objective 6A: Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.

Discussion: The Subject Property is not situated in an area susceptible to tsunami or storm wave inundation. The aforementioned Flood Control Levee constructed by the U.S. Army Corps of Engineers, approximately 160 feet west of the Subject Property at its closest point was specifically designed to control regional flooding from Kawaiinui Marsh. The Subject Property enjoys the benefits derived from the presence of the levee and the Proposed Action will have no identifiable impacts upon it. The Subject Property is not susceptible to erosion or subsidence. The Proposed Action is not considered to constitute a significant source of pollution.

Objective 7: Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Discussion: This requirement is largely a function of governmental authority. The Proposed Action will have no impact upon the development review process or the management of coastal resources.

Objective 8: Stimulate public awareness, education, and participation in coastal management.

Discussion: As the Proposed Action is located well inland of the shoreline in an urban setting, it is well removed from matters pertaining to coastal management.

Objective 9: Protect beaches for public use and recreation.

Discussion: There are no beaches in the vicinity of the Subject Property. The nearest shoreline is situated approximately 5,100 feet east of the Subject Property.

Objective 10: Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Discussion: Not Applicable.

B. Relationship to the SMA Guidelines (Section 25-3.2, Revised Ordinances of Honolulu):

(a) All development in the special management area shall be subject to reasonable terms and conditions set by the council to ensure that:

(1) Adequate access, by dedication or other means, to publicly owned or used beaches, recreation areas and natural reserves is provided to the extent consistent with sound conservation principles;

Discussion: The Proposed Action is located approximately 5,100 feet west of Kailua Bay. It will have no impact upon access to recreational areas and activities associated with the bay or its beaches. As the Subject Property is separated from the Flood Control Levee and its pedestrian pathway by an open water canal/channel, development of the Proposed Action will have no impact upon access to the levee's pedestrian pathway.

(2) Adequate and properly located public recreation areas and wildlife preserves are reserved;

Discussion: The Proposed Action will have no impact upon existing recreational activities associated with Kawainui Marsh or Kailua Bay. It is located nearly a mile inland from the bay and is separated from the greater portion of Kawainui Marsh by an open water canal/channel and a Flood Control Levee. All exterior lighting on the proposed apartment building will be shielded in an effort to reduce effects on nocturnal avifauna that may be sensitive to light. A proposed grade retention wall along the western edge of the proposed at-grade parking lot will be topped with a fence that will shield the glare from automobile headlights that might otherwise illuminate the eastern portion of the marsh between the levee and the Subject Property.

(3) Provisions are made for solid and liquid waste treatment, disposition and management which will minimize adverse effects upon special management area resources; and

Discussion: As the Subject Property is served by the City and County of Honolulu's sanitary sewer system, wastewater generated by the future residents of the Proposed Action will not have an adverse effect on SMA's resources. Similarly, solid waste generated by the future residents of the proposed apartment building will be periodically collected by a private

collection service and transported to a county-approved refuse transfer station for processing and disposal.

(4) Alterations to existing land forms and vegetation; except crops, and construction of structures shall cause minimum adverse effect to water resources and scenic and recreational amenities and minimum danger of floods, landslides, erosion, siltation or failure in the event of earthquake.

Discussion: The Subject Property is presently vegetated with grass, which will be removed prior to the commencement of construction. The Subject Property will then be mass graded to redirect the flow of storm water runoff away from Kawainui Marsh to the existing storm water drainage system on Kihapai Place. Construction of a grade adjustment wall will ensure that drainage is directed away from the marsh and the two small Wetland Areas on site. Open space areas surrounding the proposed structure and its parking lot will be planted with native vegetation to the extent possible to promote soil stability and minimize erosion. No adverse impact to the water resources of the marsh or the two small Wetland Areas on site is anticipated to result from implementation of the Proposed Action. These alternations to the existing landform are considered to be relatively minor in character in that they will not disturb the scenic character of the property or the surrounding area. Nor will they increase the potential for floods, landslides, erosion, siltation, or failure in the event of an earthquake. To the last point, the proposed apartment building will be constructed in compliance with the current Uniform Building Code.

(b) No development shall be approved unless the council has first found that:

(1) The development will not have any substantial, adverse environmental or ecological effect except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health and safety, or compelling public interest. Such adverse effect shall include, but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and the elimination of planning options;

Discussion: The Subject Property constitutes one of the very few remaining vacant properties in the Coconut Grove region of Kailua. As it is zoned for A-2 Apartment, the Proposed Action is consistent with the intended use of the property as envisioned by the Land Use Ordinance. The Proposed Action will not result in a substantial adverse environmental or ecologic effect on the environment. Specific measures to mitigate the short-term effects of construction and the long-term effects of occupancy are discussed below in Section V. Best Management Practices will be employed by the contractor to ensure that any potential adverse impacts are mitigated to the extent practicable. The public benefits derived from the provision of new rental

housing in the Kailua area in a location that is walkable to the central business district clearly outweighs retaining the property in its present vacant state. As the vast majority of the properties surrounding the Subject Property are zoned A-2 Apartment but are mostly developed as single family residences, the construction of a new multi-story apartment building on the Subject Property will not have an adverse cumulative effect on the environment or the surrounding community: it represents the fulfillment of existing City zoning policy for the area.

(2) The development is consistent with the objectives and policies set forth in Section 25 3.1 and area guidelines contained in HRS Section 205A 26;

Discussion: The Proposed Action is consistent with the objectives and policies of Sections 25 and 205A, which together are embodied in the Coastal Zone Management guidelines discussed at length in Section IV.A above.

(3) The development is consistent with the county general plan, development plans and zoning. Such a finding of consistency does not preclude concurrent processing where a development plan amendment or zone change may also be required.

Discussion: Please refer to discussion under Section 3.A.2 above.

(c) The council shall seek to minimize, where reasonable:

(1) Dredging, filling or otherwise altering any bay, estuary, salt marsh, river mouth, slough or lagoon;

Discussion: The Proposed Action will involve no dredging, filling, or otherwise altering any body of water. The two small Wetland Areas onsite will not be disturbed by construction, or in any way altered.

(2) Any development which would reduce the size of any beach or other area usable for public recreation;

Discussion: Not applicable. The Proposed Action is located nearly a mile from the nearest beach. The nearest area usable for public recreation is a pedestrian walkway located atop the Flood Control Levee approximately 160 feet west of the Subject Property across an open water canal/channel, and therefore inaccessible from the Subject Property.

(3) Any development which would reduce or impose restrictions upon public access to tidal and submerged lands, beaches, portions of rivers and streams within the special management area and the mean high tide line where there is no beach;

Discussion: Due to its location nearly a mile from the shoreline, the Proposed Action will in no way restrict public access to public beaches. Public access to the tidal and submerged lands that constitute Kaiwainui Marsh is generally provided by a pedestrian walkway located atop of the Flood Control Levee approximately 160 feet west of the Subject Property at its closest point. The Proposed Action will not impact access to the levee's public walkway.

(4) Any development which would substantially interfere with or detract from the line of sight toward the sea from the state highway nearest the coast; and

Discussion: The Subject Property is located nearly a mile inland from the shoreline. The shoreline is not visible from the Subject Property. The Subject Property is located approximately 700 feet northwest of the Pali Highway as it enters Kailua. The highway is routed generally perpendicular to the shoreline, which is not visible from the highway at its nearest point to the Subject Property. Development of the Proposed Action will not change this existing condition.

(5) Any development which would adversely affect water quality, existing areas of open water free of visible structures, existing and potential fisheries and fishing grounds, wildlife habitats, or potential or existing agricultural uses of land.

Discussion: The Proposed Action will not adversely affect water quality or existing areas of open water associated with Kawainui Marsh. As discussed above, mass grading proposed to occur prior to construction will redirect existing storm water runoff away from Kawainui Marsh. The provision of grasscrete on site in portions of the parking area will increase percolation and help to further minimize localized storm water runoff. There are no existing or potential fisheries, fishing grounds, or existing or potential agricultural uses in the area. The Proposed Action will have no adverse impact upon Kawainui Marsh as it is separated from the marsh by an open water canal/channel and the Flood Control Levee.

C. Relationship to Chapter 343, HRS Significance Criteria

Hawai'i's Environmental Protection Act establishes procedures by which environmental impacts resulting from a Proposed Action are disclosed. The rules governing the implementation of Chapter 343 are found in Section 11-200-12, Hawaii Administrative Rules, which establishes thirteen (13) significance criteria that agencies use in evaluating an action's impacts. While this EA is prepared pursuant to Chapter 25, Revised Ordinances of Honolulu, the following discussion is intended to demonstrate how the Proposed Action relates to generally recognized significance criteria, which, when applied, would support a finding of no significant impact:

Pursuant to subparagraph 12, ...an action shall be determined to have a significant effect on the environment if it:

- (1) Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;*

Discussion: The Subject Property was developed for Residential use in the late 1950s and has been grubbed and graded at least once and possibly twice (the second time being when the original residential structure was demolished). Because there is no evidence of historic, archaeological, or cultural features on the property, the Proposed Action will have no measurable impact on cultural resources. If, in the unlikely event that subsurface archaeological or cultural resources are inadvertently found during mass grading, the contractor will comply with policies and procedures established pursuant to Chapter 6E, HRS, and implemented under the auspices of the SHPO and the O`ahu Burial Council. The two small Wetland Areas at the northwestern and southwestern corners of the Subject Property constitute natural resources that will be preserved and remain undisturbed during the development of the Proposed Action.

- (2) Curtails the range of beneficial uses of the environment:*

Discussion: The Proposed Action is consistent with the planned beneficial use of the area; the development of medium density apartments in an A-2 Apartment zoning district. To that end, it will not curtail the use of the property for which it has been designated by the State Land Use Commission and the City and County of Honolulu.

- (3) Conflicts with the state's long-term environmental policies or goals and guidelines as expressed in chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders;*

Discussion: The stated purpose of Chapter 344 is to establish a state policy which will encourage productive and enjoyable harmony between people and their environment, promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of humanity, and enrich the understanding of the ecological systems and natural resources important to the people of Hawai'i. The Proposed Action complies with the policies, goals and guidelines of Chapter 344. The Proposed Action represents the build-out of one of the last vacant lots in the Coconut Grove residential community. As this entire community abuts the Kawainui Marsh, development of the Subject Property will have impacts no greater than the surrounding community. As discussed throughout this environmental assessment, the design of the Proposed Action, as well as its construction methods, are intended to preserve the harmonious relationship

that presently exists between the Coconut Grove residential community and the neighboring Kawainui Marsh.

(4) Substantially affects the economic or social welfare of the community or State;

Discussion: The Proposed Action will have a beneficial impact upon the economic and social welfare of Kailua, the region and the State. It will provide new residential opportunities that will directly benefit the residents of the region. It will also generate new property tax revenues for the City and County of Honolulu, while generating no significant adverse impact upon public facilities or services.

(5) Substantially affects public health;

Discussion: The Proposed Action is not anticipated to have a significant impact on public health. Infrastructure systems will be constructed to comply with applicable State, DOH, and County standards and regulations. Best Management Practices will be employed during construction to minimize short-term construction impacts.

(6) Involves substantial secondary impacts such as population changes or effects on public facilities;

Discussion: The Proposed Action will not have a significant impact on population, or upon public facilities. As the Subject Property is already zoned for medium density apartment, its development is already anticipated by the City and County of Honolulu in its population forecasts. The modest increase in population resulting from the development of the Subject Property is offset by the increased economic benefits that the Proposed Action will bring to the region in terms of new tax revenues and new housing opportunities.

(7) Involves a substantial degradation of environmental quality

Discussion: The Proposed Action will not result in a substantial degradation of environmental quality in the community or the region. The Subject Property is part of an existing suburban community that is fully served by the City and County's sanitary sewer and storm drainage systems. The proposed use of the Subject Property will be designed to minimize any physical impacts upon the neighboring Kawainui Marsh.

(8) Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions;

Discussion: The Proposed Action will not involve a commitment for larger actions by the State or the City and County of Honolulu. It will result in a beneficial cumulative effect in the form of increased tax revenues in the

region. The project's environmental impacts are mostly related to short-term construction impacts that can be mitigated through the implementation of Best Management Practices. As the Subject Property represents one of the last vacant properties in the Coconut Grove community, its development will be limited to the property area. No adverse cumulative impacts are anticipated.

(9) Substantially affects a rare, threatened, or endangered species, or its habitat;

Discussion: No rare, threatened, or endangered plants or terrestrials animals or birds have been identified on the Subject Property. As the Subject Property is separated from the vast area of Kawainui Marsh by an open water canal/channel, development of the property will have no physical impacts on the marsh. As discussed elsewhere in this EA, development of the Proposed Action will have no impact upon the water quality of the open water canal/channel.

(10) Detrimentially affects air or water quality or ambient noise levels;

Discussion: The Proposed Action will have no significant adverse impact upon water or air quality. Short-term construction impacts can be mitigated through the implementation of Best Management Practices

(11) Affects or is likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;

Discussion: While it is located in a Flood Zone, the Proposed Action will be implemented in a manner that conforms to prevailing flood control regulations and requirements. The first habitable floor of the proposed apartment building will be constructed 14 feet above grade. No adverse impacts are anticipated on the adjacent Kawainui Marsh due to the architectural design of the proposed structure, the proposed parking and landscape plans, and the Best Management Practices to be employed during construction.

(12) Substantially affects scenic vistas and viewplanes identified in county or state plans or studies,

Discussion: The Proposed Action will not affect scenic vistas and viewplanes between the mountains and the ocean. There are no identified view corridors in the vicinity of the Subject Property.

(13) Requires substantial energy consumption.

Discussion: Although energy consumption will be increased as the result of the Proposed Action, the increase is expected to be modest in scale and will be offset by energy saving strategies discussed below and the provision of photovoltaic solar panels on the building roof.

V. MITIGATION MEASURES

The Proposed Action is located within close proximity to public transportation and shopping to encourage pedestrian activity and reduce reliance upon automobiles. Bicycle storage and bicycle sharing may be provided on site.

The Proposed Action will conserve natural areas, soils, and vegetation. It will preserve and protect the adjacent wetland (including Wetland Areas A and B on the Subject Property), slopes to the wetland, and sensitive environmental areas. The Proposed Action will avoid disturbing vegetation and soil on the slope between the Subject Property and the marsh/wetland. An undisturbed buffer approximately 5 feet in width will be provided between limits of construction work and the marsh/wetland, including the slope area and Wetland Areas A and B.

The Proposed Action will minimize disturbances to natural drainages. It will limit site disturbance to the current flat areas of the Subject Property: clearing and grading will be prohibited near the small Wetland Areas on the Subject Property by a providing grade adjustment wall along the rear yard of the Subject Property. The Proposed Action will maintain the existing marsh water body alignment, size and shapes. The contractor will use construction fencing to delineate where no disturbances will be allowed and employ Best Management Practices during construction.

The Proposed Action will minimize soil compaction. The contractor will avoid/minimize soil compaction in open space, landscaped and proposed LID BMP areas. Once construction has been completed, the contractor will restore compacted open space areas with tilling and soil amendments.

The Proposed Action will minimize impervious surfaces. The Proposed Action will maximize the utilization of compact car spaces in parking areas, and will incorporate shared parking areas and driveways into the project. The Proposed Action will reduce driveway size to the minimum allowable widths and will provide grass-crete (or similar pervious-type pavements) for the parking stalls and lower-use drive aisle areas in the parking lot.

The Proposed Action will direct runoff to landscaped areas. Roof drains will be designed to flow to vegetated areas and flow from paved areas will be directed to stabilized landscaped/vegetated areas where practicable. Paved areas will be graded to achieve sheet flow to landscaped areas where practicable. Flow directions from large paved surfaces will be segregated into smaller flows.

Native plants will be incorporated into the landscaping to reduce irrigation demand.

Best Management Practices for on-site drainage will include the following:

- Provide open landscaped areas with vegetation and Low Impact Development (LID) features to collect storm water runoff and allow percolation into the ground before discharge into the storm drain system along Kihapai Place.
- Automatic irrigation systems will be employed for landscaped areas to minimize the runoff of excess irrigation water into the storm drain system.
- The irrigation system will be designed to minimize runoff of excess irrigation water.
- Shutoff devices will be used to prevent irrigation during/after precipitation.
- Storm drain inlet notices with prohibitive language to not dump waste into the drainage system will be stenciled at appropriate locations.
- Parking areas will be designed to drain towards vegetated/landscaped areas with LID drainage provisions.
- Roof downspouts will remain disconnected and drain to landscaped areas in the front and sides of the building. Downspouts from the back of the building will be routed under the parking lot and discharge into landscaped areas.
- Rear yard areas will be raised to allow runoff to drain towards the front yard landscaped areas and then into the Kihapai Place cul-de-sac storm drain system.

Planned energy saving fixtures include LED or CFL bulbs, dual-pane energy efficient windows, split air conditioning, passive ventilation wherever possible, energy star rated appliances, and photovoltaic solar panels on the roof.